

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

Case No.: 99-00170-002 (SEC)

CARLOS EMILIO SILVA-GALINDO

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS
AND REQUESTING FOR THE ISSUANCE OF A WARRANT**

**TO THE HONORABLE SALVADOR E. CASELLAS, SENIOR
U. S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO:**

**COMES NOW, Miguel Angel Arroyo-Domenech, United States Probation Officer of
this Honorable Court** presenting an official report upon the conduct and attitude of releasee,
Carlos Emilio Silva-Galindo, of whom in a Motion Notifying Violations of Supervised Release
and Request for Summons filed on November 18, 2005, we notified Your Honor that the
defendant had violated his Supervised Release conditions by failing to follow the Probation
Officer's instructions and to work regularly at a lawful occupation.

On December 23, 2005, even though probable cause was found, instead of revoking his
supervised release term, Your Honor decided to reinstate the defendant into supervision with
the following modification to his conditions: four (4) months of home detention wearing an
electronic monitoring device and the submission to search and seizure. Additionally, the
Court instructed the defendant to maintain himself gainfully employed at all times and to
abide by the Probation Officer's instructions.

**RESPECTFULLY INFORMING TO THE COURT THAT RELEASEE HAS AGAIN
VIOLATED HIS SUPERVISED RELEASE CONDITIONS AS FOLLOWS:**

On December 27, 2005, Mr. Silva-Galindo contacted this officer and indicated that he
was refusing to wear an electronic monitoring device, and that he rather go to prison. Hence,

this officer inquired him as to why at the time of the revocation hearing, he was not honest with the Court and notified his intentions. The defendant stated that he just wanted to have time to say goodbye to his family and to take care of other personal matters.

Later, today, this officer contacted the defendant's appointed counselor, Assistant Federal Public Defender, Carlos Vázquez, and informed him of the defendant's open and bold defiance to the Court orders. Upon contacting the defendant, AFPD Vázquez called us back and notified us that the defendant was not changing his mind.

Lastly, in our office, this officer was able to discuss this matter with the defendant's oldest son, Carlo Luis, who neither was able to convince the defendant to follow the Court's orders.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct, and given the fact that Mr. Silva-Galindo vehemently refuses to comply with the sentence imposed by the Court on December 23, 2005, we respectfully request that a warrant for his arrest be issued, and that he be brought before the Court to show cause why his supervision term should not be revoked; thereupon, he be dealt with pursuant to law.

In San Juan, Puerto Rico, this 27th day of December 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Miguel Angel Arroyo-Domenech
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CERTIFICATE OF SERVICE

I HEREBY certify that on December 27, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Assistant U.S. Attorney Sonia Torres, and to Assistant Federal Public Defender Carlos Vázquez.

s/ Miguel A. Arroyo-Domenech
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